

THE HON'BLE Mr. JUSTICE N.V. RAMANA

WRIT PETITION No.27291 OF 1998

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Between:

APSRTC, rep. by its Managing Director,
Mushirabad, Hyderabad.

... Petitioner

And

State Transport Appellate Tribunal,
A.P., Hyderabad, rep. by its
Presiding Officer, and two others.

... Respondents

Order:

When the writ petition has been taken up for hearing, it is submitted by the learned counsel for the petitioner and admitted by the learned Government Pleader for Transport, appearing on behalf of the respondents, that the subject matter of the writ petition is squarely covered by a judgment of this Court in **W.P.No.25616 of 2000, dated 08-08-2005**, wherein this Court, considering a similar issue held as under. -

“ The law is well settled that unless the route is formulated as contemplated under Section 68(3) (ca) of the Act, no permit can be granted by the Regional Transport Authority.

Inasmuch as the said route is not formulated by the Government under Section 68(3) (ca) of the Act, the Regional Transport Authority will not get jurisdiction to consider the application of the 3rd respondent. Hence, the impugned order cannot be sustained and is accordingly set aside.

The writ petition is accordingly allowed. No order as to costs.

Recording the submission and following the ratio laid down by this Court in the aforesaid judgment, this writ petition is also allowed. No order as to costs.

N.V. RAMANA, J

September 2, 2005

MRR

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Bilal Nazki, the Acting Chief Justice on this the second day of September Two thousand and five.